

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 23, 1995
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Vargas at 2:07 p.m. City Manager McGrory announced that the San Diego City Library Department received an exemplary State and Local Award from the National Center for Productivity of Rutgers University. He stated that this was one of 25 awards given this year to state and local government programs across the country, and that there were more than 225 applicants. San Diego was chosen because of the City Council's decision to increase the Sunday hours at 15 branch libraries and the establishment of the very successful homework centers of the branch libraries and the hiring of youth services librarians to assist in educating and assisting at-risk youths throughout the city at our branch libraries. Council Member Stevens welcomed and commended the winners of the 1994 Urban Run-off Poster Contest. Schools represented were Webster, Baker, Knox, Kennedy, Gompers and Horton, all from the Fourth District.

Council Member Warden welcomed and acknowledged members of Scouts Pack 614 and Troup 616, all from Scripps Ranch. Deputy Mayor Vargas explained to members of the public the procedure that will be used to deal with anyone causing a disturbance. The meeting was adjourned by Deputy Mayor Vargas at 5:24 p.m. into Closed Session on Tuesday, January 24, 1995 at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-285302
(City business in Washington, D. C.)
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Susan Tobias of St.
David's Episcopal Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Mathis.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding tax-exempt wages.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A053-082.)

ITEM-PC-2:

Comments by Steven Gilbert regarding assistance for the
homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A083-113.)

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ITEM-PC-3:

Comments by Terry Quast regarding condition of City government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A114-138.)

ITEM-PC-4:

Comments by Jim Baross regarding bicycle paths.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A139-149.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member McCarty thanked the City employees who participated in the voluntary furlough this year.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A218-224.)

ITEM-CC-2: REFERRED TO CITY MANAGER

Council Member Mathis suggested that the City initiate an awareness program with respect to the collapse of sections of Torrey Pines State Beach Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A225-275.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
12/19/94 Adjourned
12/20/94 Adjourned
12/26/94 Adjourned

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12/27/94 Adjourned
01/02/95 Adjourned
01/03/95 Adjourned
01/05/95 Special Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A296-299.)

MOTION BY KEHOE TO APPROVE THE MINUTES. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

*** ITEM-50:**

SUBJECT: Two actions related to the Torrey Pines Community Plan Update and associated amendments to the Progress Guide and General Plan and North City Local Coastal Program. (Torrey Pines Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt Subitem A, which was introduced on 1/10/95; adopt Subitem B, which was introduced as amended on 1/10/95. (Council voted 8-1. District 6 voted nay):

Subitem-A: (O-95-62) ADOPTED AS ORDINANCE O-18152 (New Series)

Incorporating various open space properties within the Torrey Pines Community Planning Area into OS-R, and OS-OSP Zones.

Subitem-B: (O-95-63 Rev.1) ADOPTED AS ORDINANCE O-18153 (New Series)

Amending Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Section 105.0204, relating to Coastal Development Permits.

FILE LOCATION: Subitem-A: LAND - Torrey Pines Community Plan; Subitem-B: MEET

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND

ADOPT THE ORDINANCES. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-51:

SUBJECT: Equal Employment Opportunity Program Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/9/95. (Council voted 8-1. District 7 voted nay):

(O-95-73) ADOPTED AS ORDINANCE O-18154 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code, by adding Division 27, establishing an Equal Employment Opportunity Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B049-C132.)

MOTION BY WARDEN TO DIRECT THE CITY MANAGER TO HOLD A SERIES OF MEETINGS AND WORKSHOPS INVITING BUSINESSES, BUSINESS ASSOCIATIONS, MINORITY BUSINESS ASSOCIATIONS AND MEMBERS OF THE PUBLIC TO SOLICIT THEIR IDEAS ON WAYS TO MAKE THE CITY'S NEW EQUAL EMPLOYMENT OPPORTUNITY PROGRAM MORE BUSINESS FRIENDLY AND MORE WORKABLE; DIRECT THE CITY MANAGER TO EVALUATE AND RESPOND IN WRITING TO IDEAS AND SUGGESTIONS FROM THESE MEETINGS AND PUBLIC WORKSHOPS IN DRAFTING THE PROPOSED IMPLEMENTING GUIDELINES; AND DIRECT THE CITY MANAGER TO RETURN TO THE CITY COUNCIL FOLLOWING THESE WORKSHOPS IN THREE WEEKS (FEBRUARY 13, 1995) WITH PROPOSED IMPLEMENTING GUIDELINES AND WITH AN ANALYSIS OF INDIVIDUAL IDEAS AND PROPOSALS PRESENTED BY THE PUBLIC. IN ADDITION, DIRECT STAFF, BY MEMO, TO KEEP COUNCIL INFORMED ON THE PROGRESS OF THE WORKSHOPS HELD WITH THE DIFFERENT BUSINESSES. Second by Harvey. AMENDMENT TO THE MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Accepted by Council Member Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

ITEM-100:

SUBJECT: Awarding Contracts for the Lease/Purchase of Copiers.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-992) RETURNED TO CITY MANAGER

Awarding contracts for the lease/purchase of copiers, for over a 36-month period (Alternative 2-Option A), for an estimated combined total of \$67,000, for the first year, as follows:

1. Eastman Kodak Company (San Diego, CA), for Section I, A & B, for 2 high speed copiers for Police Records;
2. Coastal Office Products Inc., dba Coastal Copysystems (San Diego, CA), for Section II, for a color copier for the Print Shop;

Authorizing the expenditure of not to exceed \$67,000 from Fund No. 50020, Department No. 815, Organization No. 651/652, Object Account No. 4690, and Job Order No. 60005;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-H4544/95)

Aud. Certs. 9500722, 9500723.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A305-485.)

MOTION BY MATHIS TO RETURN THE ITEM TO THE CITY MANAGER AT THE CITY MANAGER'S REQUEST. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-101:

SUBJECT: Awarding a Contract to Reliable Pipe & Supply Co. Inc. for Copper and Brass Pipe Fittings.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-990) ADOPTED AS RESOLUTION R-285231

Awarding a contract to Reliable Pipe and Supply Co., Inc. (San Diego, CA), for furnishing copper and brass pipe fittings, as may be required for a period of six months beginning February 1, 1995 through July 31, 1995, for an estimated cost of \$61,022.58, including tax and terms, with options to renew the contract for five additional six month periods at prices not to exceed 10 percent of prior contract periods.
(BID-H4582/95)

FILE LOCATION: CONT - Purchase - Reliable Pipe and Supply Co., Inc. (San Diego, CA) CONTFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-102:

SUBJECT: Awarding a Contract to San Diego Reference Laboratory for Toxicology Laboratory Service.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-634) ADOPTED AS RESOLUTION R-285232

Awarding a contract to San Diego Reference Laboratory (San Diego) for furnishing toxicology laboratory services, as may be required for a period of one year beginning November 1, 1994 through October 31, 1995, for a total estimated cost of \$266,400 for one year, and \$70,000 for the remainder of FY 95, with options to renew the contract for four additional one year periods;

In the event the successful bidder fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low bidder;

In the event no bidder is found who complies with

specifications, the Purchasing Agent is authorized to obtain this service on the open market until the contract can be rebid;

Authorizing the expenditure of not to exceed \$70,000 from Fund No. 100, Department No. 110, Organization No. 380, Object Account No. 4111, and Job Order No. 111268;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-P4474/95)

Aud Cert. 9500500.

FILE LOCATION: CONT - Purchase - San Diego Reference
Laboratory (San Diego) CONFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-103:

SUBJECT: Two actions related to Inviting Bids for Construction of Santa Clara Point Boat Launching Ramp.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-783) ADOPTED AS RESOLUTION R-285233

Inviting bids for the Construction of Santa Clara Point Boat Launching Ramp on Work Order No. 119971;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$218,500 from CIP-22-916.0, Santa Clara Point Boat Launching Ramp, State of California Department of Boating and Waterways Grant Fund No. 38039;

Authorizing the Auditor and Comptroller, upon advice

from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K95061)

Subitem-B: (R-95-784) ADOPTED AS RESOLUTION R-285234

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-92-0386, dated January 6, 1993, in connection with Santa Clara Point Boat Launching Ramp, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

Santa Clara Point is located in the northwest portion of Mission Bay Park. This project will replace the existing deteriorated 24 foot wide boat launching ramp with a 30 foot wide boat launching ramp that extends to elevation -5.86 MSL.

Aud. Cert. 9500390.

FILE LOCATION: Subitem-A,B: W.O. 119971 CONT -Marathon
Construction Corporation CONFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104:

SUBJECT: Two actions related to the Construction of Water and Sewer Main Replacement Group 474.

(La Jolla and Golden Hills Community Areas.
Districts-1 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-785) ADOPTED AS RESOLUTION R-285235

Inviting bids for the Construction of Water and Sewer

Main Replacement Group 474 on Work Order No.
171471/181141;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of \$214,795 from Sewer
Revenue Fund 41506, Sewer Construction Outlay (70492),
CIP-44-001.0 and \$1,287,281 from Water Revenue Fund,
41500, Water Construction Outlay (70592), CIP-73-083.0;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-K95062)

Subitem-B: (R-95-786) ADOPTED AS RESOLUTION R-285236

Authorizing the use of City Forces to make connections
and perform operational checks; declaring that the cost
of the work shall not exceed \$267,028.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Main Replacement Group 474 will replace
approximately 604 feet of sewer mains, and will replace
approximately 8,075 feet of water mains in the Golden Hills
Community Planning area. Having served the area east of 24th
Street, between B Street and E Street for over 75 years, the
existing facilities have experienced a high degree of water main
breaks.

This project will alleviate these breaks and provide a more
reliable water distribution system for the service area well
beyond the foreseeable future.

Replacement of approximately 900 feet of 6-inch concrete sewer
main in La Jolla Hermosa Avenue is also included in this project.

Aud. Cert. 9500626.

WU-P-95-069.

FILE LOCATION: Subitem-A,B: W.O. 171471/181141 CONT -
Dietrich Corporation CONFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed
by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea,

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Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-not present.

*** ITEM-105:**

SUBJECT: Amended Subdivision Agreement for Monarch Estates Unit
No. 2.
(Located northeasterly of I-805 and Sorrento Valley
Boulevard. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1005) ADOPTED AS RESOLUTION R-285237

Authorizing an amendment to the subdivision agreement
for Monarch Estates Unit No. 2, to provide for the
substitution of Pardee Construction Company for B.A.
Properties, Inc., as subdivider;

Declaring that the public improvements to be
constructed shall be completed by July 12, 1995;

Accepting Performance Bond No. 400JL5587, issued by St.
Paul Fire and Marine Insurance Company in the amount of
\$379,113, as surety for the required improvements;
releasing Performance Bond No. U2430607, issued by
United Pacific Insurance Company in the amount of
\$379,113.

CITY MANAGER SUPPORTING INFORMATION:

On July 12, 1993 the City entered into a subdivision improvement
agreement with B.A. Properties, Inc., a Delaware Corporation, for
the construction of public improvements for Monarch Estates Unit
No. 2. The agreement expires on July 12, 1995. The property is
now owned by Pardee Construction Company. The new owner has
signed an Amended Subdivision Improvement Agreement to assume all
of the obligations of the original subdivider and complete the
required work. Pardee has provided a performance bond for the
same amount as the original performance bond (\$379,113). The
amended agreement is in accordance with Council Policy 600-21.
Staff recommends approval.

FILE LOCATION: SUBD - Monarch Estates Unit No. 2
CONTFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106:

SUBJECT: Used Oil Recycling Block Grant and Related Agreement
for Fiscal Year 1996.
(See City Manager Report CMR-95-10.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1026) ADOPTED AS RESOLUTION R-285238

Approving the submittal of an application of the Third Cycle used Oil Recycling Block Grant and the subsequent acceptance of the grant award of \$372,072 or any alternate or augmented award from California Integrated Waste Management Board for reimbursement of expenditures related to the collection and recycling of used oil and oil filters during Fiscal Year 1996;

Authorizing the expenditure of not to exceed \$334,279 from Fund 41200, Dept. 751, Account No. 4222, Job Order No. 7520, reimbursable nonpersonnel costs or alternate award or augmentation to implement this grant in Fiscal Year 1996, contingent upon approval of the Fiscal Year 1996 budget.

Aud. Cert. 9600001.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-107:

SUBJECT: Technology Training Institute Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1014) ADOPTED AS RESOLUTION R-285239

Authorizing the City Manager or his designee to apply for, accept, and administer grant funds from the U.S. Department of Education to support a Technology Training Institute which will increase the Internet skills and personal computer competencies of the public service library staff.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library is requesting authorization to apply for a U.S. Department of Education Grant that will provide funding to increase the Internet skills and personal computer competencies of 80 Public Service Library staff. Funds will also be used to establish an on-site Computer Training Lab and to provide fifteen students from the School to Work Program with the opportunity to "shadow" a youth services librarian. The goal is to expose youth to the library profession to enhance the recruitment of minorities into library and information sciences.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-108:

SUBJECT: Certification of Election Results for Proposition D from the November 8, 1994 Special Municipal Election.

(See the Joint Report from the City Attorney and City Clerk dated 1/11/95.)

(Continued from the meeting of December 5, 1994, Item 137, at Councilmember Stevens' request, to review the questions that Councilmember Stevens raised for payment

of Proposition D.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1009) ADOPTED AS RESOLUTION R-285240

Declaring the results of the Special Municipal Election held in the City of San Diego on November 8, 1994, pertaining to Proposition D.

CITY CLERK'S/CITY ATTORNEY'S RECOMMENDATION:

A. Adopt the above resolution certifying the election results for Proposition D;

B. Direct the payment of these election costs from the elections budget; and

C. Direct the City Clerk and the City Attorney, in consultation with the Retirement Board Administrator, to develop a Council Policy governing Charter amendments affecting the Retirement System, and specifically to develop procedures to be followed in bringing such proposed amendments before the City Council and to resolve who will pay the costs associated with these proposals.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109:

SUBJECT: Agreement with Libby Engineers, Inc., for Consultant Services for the Georgia Street Bridge over University Avenue Replacement.
(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1013) ADOPTED AS RESOLUTION R-285241

Authorizing an agreement with Libby Engineers, Inc., to provide consultant services for the Georgia Street Bridge over University Avenue Replacement;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$75,000 from TransNet Fund 30300, CIP-52-433.0, Fairmount Avenue from Montezuma Road to Interstate 8 - Widen and Improve Interchange to CIP-52-555.0, Georgia Street/University Avenue Separation Replacement;

Authorizing the expenditure of not to exceed \$245,000 from CIP-52-555.0, Georgia Street/University Avenue Separation Replacement; an amount not to exceed \$81,600 from HBRR Grant Fund; and an amount not to exceed \$163,400 from TransNet Fund, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The Georgia Street Bridge (No. 57C-418) was built in 1914 and is a reinforced concrete triple arch structure spanning University Avenue. The bridge was designated as Historical Site Number 325 by the City of San Diego Historical Site Board on September 28, 1994. The bridge has been determined to be structurally deficient as a result of CalTrans biennial bridge inspection and is functionally obsolete because of substandard clearance over University Avenue and substandard travelway width on Georgia Street. The University Avenue retaining walls built in 1914 have structural deterioration and will be repaired. This Consultant Agreement with Libby Engineers, Inc. will provide a concept design for two replacement bridge configurations and design documents for the selected replacement bridge. Libby Engineers, Inc. was chosen in accordance with Council Policy 300-7 after interviewing nine consultant teams provided by the Consultant Selection Committee from letters of interest for Civil/Bridge Engineering Services.

Aud. Cert. 9500684.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT AND TO DIRECT THE CITY MANAGER TO (1) HAVE AN ANALYSIS OF RETROFITTING THE GEORGIA STREET BRIDGE INCLUDED IN THE CONSULTANT'S CONTRACT ALONG WITH THE REBUILD; (2) ENSURE VARIOUS COMMUNITY GROUPS AND CONCERNED RESIDENTS BE KEPT UP TO DATE ON THE STATUS OF THE BRIDGE VIA SEVERAL COMMUNITY MEETINGS AND HAVE AT LEAST TWO

PRESENTATIONS EXPLAINING THE CONSULTANT'S PRELIMINARY REPORT; AND (3) THAT THE CITY MANAGER AND DISTRICT 3 WORK TOGETHER ON ESTABLISHING A GEORGIA STREET TASK FORCE CONSISTING OF REPRESENTATIVES OF UNIVERSITY HEIGHTS COMMUNITY ASSOCIATION, NORTH PARK BUSINESS ASSOCIATION, NORTH PARK COMMUNITY ASSOCIATION, NORTH PARK PAC, AND HILLCREST BUSINESS ASSOCIATION. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-110:

SUBJECT: Two actions related to Agreements with the San Diego Unified Port District.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-932) ADOPTED AS RESOLUTION R-285242

Authorizing an agreement with the San Diego Unified Port District for reimbursement to the City for the cost of providing police and fire services from 1991-1992 through 1993-1994.

Subitem-B: (R-95-933) ADOPTED AS RESOLUTION R-285243

Authorizing an agreement with the San Diego Unified Port District for reimbursement to the City for the cost of providing police and fire services from 1994-95 to 1996-97.

CITY MANAGER SUPPORTING INFORMATION:

The City currently provides police and fire services to Port District properties which do not generate ad valorem taxes, including but not limited to parks and open space, port facilities, other developed properties and vacant land. The proposed agreements provide for reimbursement to the City for the cost of these services. Two agreements have been developed:

- A Three-Year Agreement For 1991-92 to 1993-94 - Contingent upon development and approval of a formal agreement, the Port provided reimbursement to the City for services provided during the period 1991-92 to 1993-94. This agreement will provide a contractual basis for these payments.

-
- A Three-Year Agreement For 1994-95 to 1996-97 - This agreement provides for future reimbursement of City services provided during the three year period 1994-95 to 1996-97 in the amount of approximately \$750,000 annually. Under the terms of the agreement, adjustments may be made in the reimbursement amount to reflect changes in salary rates.

FILE LOCATION: MEET CONFY95-2

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-150:

SUBJECT: Firearm Dealer Regulations.

(See City Manager Reports CMR-94-371 and CMR-94-114.)
(Continued from the meeting of December 5, 1994, Item 161, at Councilmember Mathis' request, to resolve issues regarding the wording in the proposed legislation.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-5) INTRODUCED, TO BE ADOPTED ON FEBRUARY 6, 1995

Introduction of an Ordinance amending Chapter III, Article 3, Division 42, of the San Diego Municipal Code, to clarify and expand the scope of Firearm Dealer Regulations.

NOTE: See Item 200 for a companion item.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C133-E265.)

MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AND TO DIRECT THE CITY MANAGER MAKE IT MANDATORY THAT ALL EMPLOYEES, AGENTS, AND OFFICERS OF DEALERS HAVE A BACKGROUND CHECK. Second by Kehoe. Passed by the following vote: Mathis-yea,

Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not
present.

ITEM-200:

SUBJECT: Cost Recovery for the Firearms Dealer Permit.
(See City Manager Report CMR-94-372.)

(Continued from the meeting of December 5, 1994, Item
200, at Councilmember McCarty's request, to bring back
with the Firearm Dealer Regulation Ordinance.)

CITY MANAGER'S RECOMMENDATION:

Return the item to the City Manager.

(R-95-454) RETURNED TO CITY MANAGER

Authorizing the City Manager to increase the annual
Firearms Dealer Permit fee from \$126 to \$252.

NOTE: See Item 150 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A305-485.)

MOTION BY MATHIS TO RETURN THE ITEM TO THE CITY MANAGER AT
THE CITY MANAGER'S REQUEST FOR TIME TO REVIEW THE IMPACT OF
THE CRIME BILL IN TERMS OF LICENSING DEALERS. Second by
Stallings. Passed by the following vote: Mathis-yea,
Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not
present.

ITEM-201:

SUBJECT: Fiesta Island Replacement Project Phase II Digested
Sludge Pipeline - Selection of Alignment.

(See City Manager Report CMR-94-380. Linda Vista,
Mission Valley and Clairemont Mesa Community Areas.
District-6.) (Continued from the meeting of December 5,
1994, a portion of Item 203B, at Councilmember Warden's
request, for staff to return to Council with a report

on the costs of the three alignments and an analysis on the houses that would be impacted.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-) CONTINUED TO FEBRUARY 6, 1995

Authorizing the expenditure of \$7,500 from the Metropolitan Wastewater Department (MWWD) Fund 41509, CIP-40-921.0, FIRP Phase II Pipelines for environmental mitigation to the City's Mitigation Fund Agreement 10517, CIP-76-751.0. (BID-K95108)
Directing the City Manager to implement the preferred alignment.

Aud. Cert. 9500573.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A305-485.)

MOTION BY MATHIS TO CONTINUE THE ITEM TO FEBRUARY 6, 1995 AT THE REQUEST OF THE CITY MANAGER, AND TO REOPEN THE HEARING AT THAT TIME AS REQUESTED BY COUNCIL MEMBER STALLINGS.
Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202:

SUBJECT: Awarding a Contract to Saulsbury Fire Equipment Corp. for Two Service Aerial Ladder Trucks and Five 1500 G.P.M. Triple Combination Apparatus.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-993) ADOPTED AS RESOLUTION R-285244

Awarding a contract to Saulsbury Fire Equipment Corp. (Preble, New York), for the purchase of two service aerial ladder trucks (Section I), and five 1500 G.P.M. triple combination apparatus, for a total cost of \$2,380,727.32, including tax, with options to purchase

additional trucks and apparatus and pump modules, with option year price increases not to exceed the prices in effect for the previous contract period by more than the C.P.I. plus 6 and 7 percent, respectively;

Authorizing the expenditure of not to exceed \$2,380,727.32 from Fund No. 100, Department No. 120, Organization No. N/A, Object Account No. 6016, and Job Order No. 5700;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-E4531/95)

Aud. Cert. 9500727.

FILE LOCATION: CONT - Purchase - Saulsbury Fire Equipment Corp. (Preble, New York) CONTFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-203:

SUBJECT: Design Agreement with Kercheval Engineers for Dairy Mart Road and Bridge Improvements.
(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1021) ADOPTED AS RESOLUTION R-285245

Authorizing a phase funded contract with Kercheval Engineers, for design services in connection with the Dairy Mart Road and Bridge Improvements;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$445,026 within Sewer Fund No. 41509, from CIP-42-910.6, South Bay Water Reclamation Plant, to CIP-45-923.0, Dairy Mart Road and Bridge Improvements;

Authorizing the expenditure of an amount not to exceed \$1,746,850 from Sewer Fund No. 41509, CIP-45-923.0, Dairy Mart Road and Bridge Improvements, to provide funds for the design project and additional services, provided that the City Auditor and Comptroller, first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves upon advice of the administering department;

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

This project is an integral part of the South Bay Water Reclamation Plant (SBWRP) project and is a design requirement of that project. This road and bridge will replace the existing road and bridge and will provide access to the SBWRP. In June, 1992, as a result of the City implementing the Consumers' Alternative, nine projects including Dairy Mart Road and Bridge Improvements Project, were suspended. Prior to the suspension of these projects, the City had advertised for design engineering services, selected design firms in a competitive process and negotiated design contracts. Kercheval Engineers was one of the selected firms. The Metropolitan Wastewater Department feels that providing this firm the opportunity to perform design services on the Dairy Mart Road and Bridge Improvements Project would be fair and equitable since they were previously selected for a similar size project, and incurred costs participating in the competitive selection process. The agreement with Kercheval Engineers, provides for design services and services during construction. The MBE participation is approximately 59.5 percent and WBE participation is approximately 3.1 percent. Aud. Cert. 9500705.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A493-B044.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-S400: CONTINUED TO FEBRUARY 6, 1995

SUBJECT: Two actions related to Water Reimbursement Agreement
for Miramar Ranch North.
(Miramar Ranch North Community Area. District-5.)

(Continued from the meeting of January 17, 1995, Item
121, at Councilmember Warden's request, to allow the
Planning Group to discuss this matter.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1007)

Authorizing a reimbursement agreement with Miramar
Ranch North, for construction of major water
distribution facilities in the Scripps-Miramar area.

Subitem-B: (R-95-1008)

Stating for the record that the information contained
in DEP-85-0100, has been reviewed and considered by the
Council.

CITY MANAGER SUPPORTING INFORMATION:

Portions of the complete water distribution system were
constructed by earlier property developers at costs exceeding
their pro rata share. Accordingly, the earlier property
developers entered into the following agreements with the City in
order to be reimbursed for expenditure of funds in excess of
their pro rata shares. These earlier reimbursement agreements
are as follows:

1. Upper Scripps Ranch Major Water Facilities Reimbursement Agreement signed by McMillin Scripps and the City on July 20, 1977, City Clerk Document No. 760593; and
2. McMillin Scripps Three Water Reimbursement Agreement signed by McMillin Scripps North and the City on September 9, 1983, City Clerk Document No. C-01194; and
3. Scripps Mesa Vista Locality Water Reimbursement Agreement signed by Presley of San Diego and the City on February 9, 1988, City Clerk Document No. C-02429.

The earlier reimbursement agreements provide that the City may, from time to time, enter into other subsequent reimbursement agreements with subsequent developers of major component of the complete water distribution system who incur costs exceeding their pro rata shares. Miramar Ranch North is a subsequent

developer and this agreement is a subsequent reimbursement agreement. This agreement thus supersedes the three earlier reimbursement agreements, as mentioned above. The City finds that public interest is served by the construction of the complete water distribution system. This agreement is in compliance with Council Policy 400-7 and Administrative Regulation 55.10, which allows the subsequent developer to be reimbursed by benefitting property owners.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A305-485.)

MOTION BY MATHIS TO CONTINUE THE ITEM TO FEBRUARY 6, 1995, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:
None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Vargas at 5:24 p.m. in honor of the memory of:

Jacqueline Pierpaoli as requested by Council Member Stevens.

Cheri Pinckard as requested by Council Member Warden.
Ruth C. Smith as requested by Council Member Harvey and City Clerk Abdelnour.

Gorden F. Lee as requested by City Clerk Abdelnour.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E268-315).